

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GROLLITSCH; Helmut

SERIAL NO.: 10/672,402

ART UNIT: 3653

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EXAMINER: Miller, J.R.

TITLE: METHOD AND APPARATUS FOR DETECTING A CRACKED OR BROKEN CASE

Amendment A: REMARKS

Upon entry of the present amendments, previous Claims 1 - 21 have been canceled and new Claims 22 - 38 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, Claims 1 - 8 and 11 - 20 were rejected under 35 U.S.C. § 102(b) as anticipated by European Patent No. 0043170. Claims 1 - 4, 8, 10 - 15 and 18 - 20 were rejected under 35 § U.S.C. 102(b) as anticipated by British Patent No. 2,052,765. Importantly, it was indicated that Claims 9 and 21 were “objected to” as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In reply to the Official Action, Applicant has canceled previous Claims 1 - 21 and substituted new Claims 22 - 38 therefor. New independent Claim 22 incorporates the limitations of a portion of objected-to Claim 9, along with intervening Claims 4 and 8 and base Claim 1. In particular, instead of “a roller” positioned at the end of the piston opposite the cylinder of the pneumatic ram of the “second ram means”, independent Claim 22 recites that it is a “curved surface” at end of the piston opposite the cylinder. Within the scope of the present invention, it is believed that a curved

surface could satisfy some of the requirements of the “roller”. In particular, with reference to Figure 1, it can be seen that there is a curved surface associated with roller 86. It is important to have a roller since the crack in the bottom of the case could snag on a flat surface. A curved surface, such as roller 86, will allow the second ram means to exert its pressure without possibly snagging on a crack or uneven surface on the base 20 of the case 14. This feature is distinguishable from the prior art much in the same way that the roller at the end of the rotatably mounted to the end of the piston is distinguishable from the prior art references.

Dependent Claims 23 and 24 herein correspond, respectively, to the limitations of previous dependent Claim 2 and 3. Dependent Claims 25 - 27 correspond, respectively, to the limitations of previous dependent Claims 5 - 7. Dependent Claim 28 has been amended relative to previous dependent Claim 9 so as to indicate that the “curved surface” is “a roller rotatably positioned at an end of said piston opposite said cylinder.” Dependent Claims 29 - 31 correspond, respectively, to the limitations found in previous dependent Claims 10 - 12.

New independent Claim 32 incorporates the limitations of previous independent Claim 13, along with the limitations of objected-to Claim 21 and the limitations of intervening Claim 17. As such, independent Claim 32 should now be in a proper condition for allowance. Dependent Claims 33 - 35 correspond, respectively, to the limitations of previous dependent Claims 14 - 16. Dependent Claims 36 - 38 correspond, respectively, to the limitations found in previous dependent Claims 18 - 20.

Based upon the foregoing analysis, Applicant contends that independent Claims 22 and 32 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the

rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

<u>October 6, 2006</u>	/s/ Andrew W. Chu
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